



**TOWN OF BLACKSBURG
PUBLIC ACCESS CHANNEL
OPERATING GUIDELINES AND CABLECAST REQUEST APPLICATION**

PROGRAM _____

DATES & TIMES _____

REQUESTED

DESCRIPTION _____

LENGTH (IN MINUTES) _____

ORGANIZATION/GROUP _____

PRODUCER/USER _____

SPONSOR _____

GROUP'S PHONE # _____

These guidelines shall apply to the use of the Town of Blacksburg's public and governmental access cable television channel. This channel will be called the "public access channel," or simply "channel," in these guidelines. The purpose of the channel is to offer an inexpensive and practical opportunity for individuals, businesses, institutions, and governments, including the Town, to participate in community dialogue through cable television programming. This channel will not serve as an educational access channel.

- 1. The public access channel shall be available for non-commercial programming on a non-discriminatory basis in accordance with these guidelines.**

The Town Of Blacksburg Virginia, does not discriminate on the basis of race, color, sex, age, religion, national origin, political affiliation, or handicap status in employment of the provision of services.

- 2. Administration of these guidelines shall be accomplished by the Town's Station Manager.**
- 3. Persons proposing to utilize the public access channel shall apply in writing to the Station Manager, on a Program Treatment form supplied by the Town. The Producer/User shall submit the application at least two weeks in advance of the date of the requested time slot. The Station Manager may waive this time requirement to accommodate spontaneous or contemporaneous programming or a long-term relationship for programming where the waiver would not materially prejudice the rights of other Producers/Users.**

The Station Manager shall allocate time on a first come basis. Whenever applications for channel time exceed the time available, the Station Manager shall allocate time according to the following rules, in order of priority:

- (a) First time Producers/Users shall enjoy priority over regular or previous Producers/Users. A previous Producer/User who has not been scheduled in prime time (4:00 – 11:00 PM) shall enjoy priority for prime time scheduling.**
- (b) Producers/Users from the area that the cable system serves shall enjoy priority over Producers/Users from a distant locality.**
- (c) The Station Manager may allocate by separate agreement under these guidelines some time slots to regular Producers/Users so long as ample time remains for spontaneous, unscheduled community expression.**

The Station Manager shall finally resolve any conflicts among these rules or disputes as to priority in a manner that maximizes diversity of expression.

- 4. For every use of the channel, there shall be a completed Operating Guidelines and Cablecast Request Application, which shall incorporate by reference these guidelines, and which, when accepted by the Town, shall become a contract between the Producer/User and the Town.**

The application form shall indicate: the name, address, and telephone number of the Producer/User; the authorized officer or agent of an organizational Producer/User; the requested date and time; the length of the program; the purpose and subject matter of the program; the last date of use of the channel, if applicable; the type of requirements and/or special terms and conditions for equipment, studio facilities, and personnel needed to produce the proposed program. No application shall be submitted by a minor.

Special Terms and Conditions

- 5. No Producer/User of the public access channel shall use the channel or identify or use the name of any individual, group, or organization in a defamatory, illegal, obscene, false, or misleading manner; or in a manner that invades one's right of privacy, incites riot or illegal civil disturbance; violates copyright or trademark laws; or intentionally inflicts emotional distress on another.**

Producer/User assumes absolute and sole responsibility for the content of the material cablecast on the channel and, as a condition, and in consideration of the Town's permission to use this channel, the Producer/User agrees to indemnify and hold the Town harmless from any and all claims, liability, judgements, fines, forfeitures, or penalties, and the cost of defense thereof, asserted against the Town, its officers, officials, appointees, volunteers, or employees by reason of Producer/User's programming over the channel.

- 6. Use of the channel must be for non-commercial purposes. Non-commercial purposes exclude the following**

- (a) commercial advertising messages
 - (b) material the primary purpose of which is the promotion of a service, product, trade, or business
 - (c) material made available without charge by persons, which have a commercial interest in the subject matter of the program. This shall not prevent the identification of persons providing grants or aid to groups producing programs unrelated to the commercial interests of the donor
 - (d) material which identifies any product, service, trade or service mark, or brand name in a manner which is not reasonably related to the non-commercial use of the same program
7. Except as otherwise provided in these guidelines, any subject matter may be programmed. The Town shall not exercise any editorial control regarding the content of any program cablecast on the public access channel; provided, however, the Town may edit the programs that it produces and broadcasts over the public access channel time allotted to governmental use.
8. Time slots may be transferred to other persons, with the written permission of the Station Manager.
9. Given adequate funding, as determined by Station Manager, the channel may be used for cablecasting during regular program hours, live forums organized by civic groups, committees, public or non-public entities, or individuals.
10. The Station Manager shall maintain a register containing the name of the Producer/User, the date and time of the program, the title of the program, and a summary of the program content. This register shall be a public document and shall be kept with respect to programs cablecast within the last five years.
11. Producer/User's failure to comply with these guidelines shall result in the Town's denial to the Producer/User of the privilege of using the channel for a period of one year per incident of such failure or failures, in addition to any civil or criminal claims, actions, or judgements that may result from such failure.

Town of Blacksburg VA

Producer/User

Station Manager, Date

Date

Street Address

City, State, Zip Code

Telephone #

Email Address